

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BARBEE HEBRON,)
)
 Plaintiff,)
)
 v.) No. 4:09 CV 1482 DDN
)
UNITED STATES OF AMERICA,)
)
 Defendant.)

ORDER OF DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY ORDERED that the unopposed motion of defendant United States of America to dismiss this action for lack of subject matter jurisdiction for plaintiff's failure to exhaust administrative remedies pursuant to 28 U.S.C. § 2675(a) of the Federal Tort Claims Act (Doc. 10) is sustained.

IT IS FURTHER ORDERED that this action is dismissed without prejudice.

/S/ David D. Noce
UNITED STATES MAGISTRATE JUDGE

Signed on January 12, 2010.